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November 13, 2024

VIA ECF

Honorable Jennifer L. Rochon
 United States District Court
 Southern District of New York
 Daniel Patrick Moynihan United States Courthouse
 500 Pearl Street
 New York, NY 10007

Re: Cengage Learning, Inc. et al. v. Google LLC, No. 1:24-cv-04274-JLR-BCM

Dear Judge Rochon:

We represent Defendant Google LLC (“Google”) in the above-captioned matter. Plaintiffs Cengage Learning, Inc.; Bedford, Freeman & Worth Publishing Group, LLC d/b/a Macmillan Learning; Macmillan Holdings, LLC; Elsevier Inc.; Elsevier B.V.; and McGraw Hill LLC (collectively “Plaintiffs”) filed a Letter Motion for a Pre-Motion Discovery Conference (“Motion”) on November 12, 2024. Dkt. No. 46.

Pursuant to Rule 2(E) of this Court’s Individual Rules of Practice in Civil Cases, we write to inform the Court that Google will file a response to Plaintiffs’ Motion. Based on the same rule, Google’s current deadline to file its responsive letter is November 15, 2024.

Further, pursuant to Rule 1(F) of this Court’s Individual Rules of Practice in Civil Cases, Google seeks an extension of time to file its response to Plaintiffs’ Motion by one business day. If granted, the new date to respond to Plaintiffs’ Motion would be November 18, 2024. Plaintiffs consent to this limited extension. The proposed extension will not affect any deadlines in the Case Management Plan and Scheduling Order, Dkt. No. 34.

This is Google’s first request for an extension of time to respond to Plaintiffs’ Motion. The Court previously granted the parties’ requests (1) to extend the briefing schedule for Google’s motion to dismiss the original complaint, Dkt. No. 24, and (2) to extend the time for Plaintiffs to respond to Google’s amended motion to dismiss and for Google to file its reply in support of the same, Dkt. No. 40.

Hon. Jennifer L. Rochon
November 13, 2024
Page 2

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We thank the Court for its consideration of this request.

Sincerely,

/s/ Sarah A. Tomkowiak

Sarah A. Tomkowiak
of LATHAM & WATKINS LLP

cc: All counsel of record (via ECF)

Defendant's request for an extension to respond to Plaintiff's
Motion for a pre-motion discovery conference is
GRANTED. Defendant's letter shall be due by November
18, 2024.

SO ORDERED.

Dated: November 14, 2024
New York, New York

Jennifer Rochon
JENNIFER L. ROCHON
United States District Judge